UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/51/206
S/1996/539
10 July 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Items 94 and 108 of the preliminary list*
THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

SECURITY COUNCIL
Fifty-first year

Letter dated 10 July 1996 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to your report to the Security Council of 21 June 1996 on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1996/456).

In paragraph 25 of the report you write: "According to the report by the Government, as of 10 June 1996 only 7,065 persons had returned to Croatia following Government authorization. International observers report that the number of Croatian Serbs who have actually returned to their homes in the former Sectors appears to be considerably lower than this figure." My Government is deeply disappointed that when such reservations existed, the international observers did not seek to verify the authenticity of the number, especially when the number is in effect the crux of the issue at hand.

The Croatian Government has well-documented files in this regard, and invites the United Nations High Commissioner for Human Rights to visit the Government's Office for Displaced Persons and Refugees and verify the authenticity of the number that the Government had submitted. A file on each

* A/51/50.

returnee will be available to him. Out of the total documented returnees: 5,192 returned to Croatia after receiving security clearance from the Office for Displaced Persons and Refugees; 586 returned on the basis of Croatian citizenship; and 1,287 returned on the basis of other documentation. I should also like to add in this regard that my Government estimates that several thousand more ethnic Serbs returned to Croatia for whom there is no documentation.

My Government has shown extraordinary transparency in respect of human rights. It has given an open door to more than 300 humanitarian organizations that in one way or another monitor and report on human rights. We did so with the hope that transparency would translate into disciplined, balanced, thorough and coordinated investigations. The delicate issue of human rights cannot be treated lightly.

The return of displaced persons and refugees is one of the cornerstones of the international community's policy in the region. We are pleased to note in this regard that the number of repatriated refugees to Croatia has been unmatched in the region. The returns would be proceeding at an even faster rate if there were no legitimate security concerns associated with the unmanaged influx of persons that were associated with the party that started the conflict in Croatia in the first place. The risks regarding the safety of 38,000 non-Serb returnees presently in the liberated areas and the right of return of 80,000 more non-Serb expellees from the liberated areas are serious and significant and have wider implications.

Furthermore, the number of Serb returnees to Croatia must be considered within the context of the generally accepted norms and standards regarding the return of displaced persons and refugees. Their return should be safe, dignified and voluntary. My Government has in the past actively contributed to the debate on this position of the international community. Croatia's managed return policy, therefore, should be viewed with this in mind.

In conclusion, it is the position of my Government that the human rights situation in Croatia does not in any way constitute a threat to peace and security in Croatia, nor in the region, and should therefore, consistent with the Charter of the United Nations, be addressed exclusively by the United Nations forums dealing with human rights.

May I ask for your kind assistance in circulating the text of the present letter as a document of the General Assembly, under items 94 and 108 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative